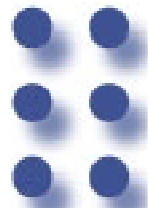




THE CITY OF SAN DIEGO

Americans with Disabilities Act Transition Plan





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Final Plan Adopted June 1997

Mayor

Susan Golding

City Manager

Jack McGrory

Councilmembers

Harry Mathis

Barbara Warden

Byron Wear

Valerie Stallings

Christine Kehoe

Judy McCarty

George Stevens

Juan Vargas

**Disability Services
Coordinator**

Patricia D. Sieglen-Perry

Committees

Citizens' Review Committee on
ADA and Disability Issues
–Peter Mirche, *Chair*

Subcommittee for Removal of
Access Barriers
–Sharlene Ornelas, *Chair*

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CITY OF SAN DIEGO

AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN

I. BACKGROUND: ADA REQUIREMENTS

The ADA of 1990 is Federal civil rights legislation which mandates non-discrimination to persons with disabilities. The Act has five Titles, listed below:

- A. Title I - Employment
- B. Title II - Public Services and Transportation
- C. Title III - Public Accommodations
- D. Title IV - Telecommunications
- E. Title V - Miscellaneous

Title II of the ADA prohibits discrimination by public entities on the basis of disability by making all programs, services, and activities accessible to persons with disabilities. In order to accomplish this, the Department of Justice developed regulations requiring the City to conduct a self-evaluation of the accessibility of its programs and services to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided. The City is obligated to remove physical barriers to accessibility when program changes cannot ensure access to services, programs, and activities in existing facilities. Realizing that the structural changes would take time and money to provide, the Department of Justice Regulations, Federal Register 28 CFR Part 35 state that "in the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six months of January 26, 1992 a Transition Plan setting forth the steps necessary to complete such changes." Additionally, "if a public entity has responsibility or authority over streets, roads, or walkways, its Transition Plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act."

The ADA regulations further require the Transition Plan to contain the following elements:

- A. A list of physical barriers in the public entity's facilities that limit the accessibility of its programs, services, or activities to individuals with disabilities;

- B. A detailed description of the methods to be utilized to remove these barriers and make the facilities accessible;
- C. The schedule for taking the necessary steps to achieve compliance with Title II;
- D. The name of the official responsible for the plan's implementation;
- E. A schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs. Priorities should be given in the following order:
 - 1. State and local government offices
 - 2. Transportation
 - 3. Places of public accommodation
 - 4. Employers
 - 5. Other areas (e.g., residential areas where people needing curb ramps reside)
- F. The opportunity for the disability community and other interested parties to participate in the development of the Transition Plan.

The ADA requires that the accessibility changes outlined in the Transition Plan be completed by January 26, 1995, and provides regulations establishing standards for accessible design (ADAAG).

II. ADA PROGRAM

A. RESPONSIBLE OFFICIAL

The Disability Services Coordinator has been designated by the City Manager as the person responsible for the development and implementation of the City's ADA Transition Plan.

B. PUBLIC REVIEW

In 1991, the City Manager appointed a 13-member Citizens Review Committee on ADA and Disability Issues (CRC) to advise the City on developing policies with regard to ADA implementation. The Committee is comprised of individuals with disabilities representing diverse needs and medical conditions. The City's commitment to a partnership with the CRC is what makes the ADA program work. The CRC annually reviews the City's monetary allocation for ADA improvements, and assists in prioritizing which facilities will have barriers removed during the next fiscal year. The CRC

has been involved in each phase of the Transition Plan's implementation. In addition, the CRC has established a Subcommittee for the Removal of Access Barriers (SCRAB) to review City projects in the rights-of-way. This Subcommittee reviews proposed curb ramp locations and contracts, and assists in prioritizing curb ramp selections and audible signal installations. The SCRAB also reviews park projects and tot lots.

The public may give input and comment on matters related to ADA to either the CRC or the SCRAB at their regular monthly meetings or they may file a complaint using the City's ADA complaint procedure. Any citizen can comment on items relating to ADA during the public comment item on the agenda of every scheduled public City Council meeting or at any City Council meeting that has ADA issues on the agenda. In addition to attending meetings, individual may review and comment on the City's Transition Plan via the Internet at <http://www.sannet.gov>. The Internet can be accessed through any City Library.

Hard copies of the City's Barrier Removal Plan are located in the City Clerk's Office at City Hall, 202 C Street, San Diego, CA. 92101, or at the Disability Services Coordinator's Office located at 1200 Third Avenue, Suite 924, San Diego, CA. 92101.

C. SELF-EVALUATION

As required by the ADA legislation, the City has conducted a Self-Evaluation Survey of its programs, services, and activities in 1992 to ensure that they are accessible to and usable by persons with disabilities. The CRC reviewed and approved the survey form (see Appendix A), which was then distributed to City departments. To effectively facilitate this process, an ADA Task Force was established consisting of representatives from each department, who were then responsible for ensuring that each Division completed the survey.

An Action Plan was subsequently completed by each Division listing specific policy or program modifications needed, and target dates by which those departments would make the necessary changes.

Architectural barriers at facilities and infrastructure issues are addressed separately in the City's Barrier Removal Survey in Section III.

D. GRIEVANCE PROCEDURE

The City of San Diego developed a disabled access complaint procedure for individuals who have an ADA issue with regard

to program or facility access. The process was designed by the ADA Departmental Task Force, and was reviewed and approved by the CRC. The complaint form (see Appendix B) has been distributed to the City's Public Information Officers, and is available at any City Information Counter. In addition, complaints can be phoned in to the Disability Services Coordinator or any City department, or through the Internet.

III. TRANSITION PLAN

A. BARRIER REMOVAL AND COMPLIANCE STRATEGIES FOR FACILITIES

The Disability Services Coordinator has the responsibility of identifying barriers and implementing the City's barrier removal program. The City's building inventory has approximately 1,400 facilities; however, further review indicated that only 20% of those buildings are used by the public. Staff then prioritized the publicly used facilities which were placed in the very high, high, or medium use categories, for a total of 168 facilities to be examined in Phase I of the access survey process. Buildings in these categories include libraries, senior centers, recreation centers, the stadium, Balboa Park facilities, office and commercial buildings, police stations, and leased facilities.

The City then solicited for a consultant through a competitive bid process. A review panel, which included a member of the CRC, selected a consultant to conduct an access survey of 168 City-owned facilities to identify barriers to accessibility. The consultant was also asked to recommend ADA compliant solutions, including a cost estimate for each barrier (see Appendix C). Upon completion of the report, two public hearings were held to receive feedback from the disability community. Comments from the community were incorporated into the report, which was then reviewed and approved by the CRC. In addition, the CRC has advised the City annually on the selection of facilities for ADA retrofits for the upcoming fiscal year.

Access to and usability of City facilities by individuals with disabilities is frequently compromised by the barrier listed below. This list is not exhaustive or necessarily complete, but represents typical barriers identified by the consultant in the access survey and needing to be addressed during the transition process.

Site: Exterior routes of travel are interrupted by stairs, curbs, or other changes in level; or by obstructions or protruding objects. Routes of travel from transportation stops are not accessible. Curb ramps are absent, or do not meet current requirements. Accessible routes are not clearly indicated through signage.

Parking: The number of accessible spaces are not proportionate with the total number of spaces, by current standards. Van accessible spaces are not provided. Accessible spaces do not completely conform to the current requirements for size, location, marking, and signage. Curb ramps do not meet current requirements. Lots are not properly signed for towing. Drop-off areas are not accessible.

Building Entrances: Entrances are not ramped; or ramps do not meet the requirements for width, slope, cross slope, landings, and/or handrail shape and height. Level landings are not provided or are not of sufficient width or depth. Doors require excessive effort to open, and close too quickly to allow safe passage. Doors are not of sufficient width or have knob-type handles.

Interior Signage: Accessibility information is not provided in building directories. Accessible facilities are not marked as accessible, and not information is posted at inaccessible facilities indicating the location of the closest accessible facility. Tactile and Braille permanent room signs are not provided.

Interior Routes of Travel: Lobbies, corridors and other passages have obstructions or protruding objects such as drinking fountains, telephones, and projecting signs, which when improperly located, may be hazardous to individuals with vision disabilities. Interior routes of travel are interrupted by level changes which are not ramped, or ramps do not meet current requirements for width, slope, cross slope, landings, and/or handrail shape and height.

Stairs: Handrails do not meet the requirement for shape and height. Visual warnings are not provided at tread nosings. Risers and treads do not meet the requirements for shape or risers open, presenting a potential tripping hazard.

Interior Doors: Doors are not sufficiently wide. Maneuvering clearance for individuals using wheelchairs is not provided. Doors require excessive effort to open, and close too quickly to allow safe passage. Doors have knob-type hardware.

Elevators: Timing on elevators require adjustments. Call buttons and control buttons are too high. No audible signal is provided. No emergency phone is provided. Braille indicators are not provided; cab size is inadequate.

Sanitary Facilities: Doors do not meet current requirements. Signage does not meet current requirements. Maneuvering clearances are inadequate. Mounting heights of

plumbing fixtures and accessories are too high. If an accessible compartment is provided, clearances and grab bars do not meet current requirements. Faucets are twist-type. Insulation is not provided on pipes under sinks.

Telephones: Mounting heights are too high. Telephones project into accessible route, and are hazards to persons with vision disabilities. Text telephones are not provided where they are required. Signage indicating the location of the nearest text telephone is not provided.

Alarms: Visual alarms are not provided in sanitary facilities and meeting rooms with fixed seating. Lecterns and podiums are not accessible to individuals in wheelchairs. Assistive listening systems are not provided.

Food Service Areas: Self-service dispensers are too high.

Compliance strategies for removing access barriers in facilities as required by the ADA are as follows:

1. Targeted Barrier Removal Projects

The City has implemented a barrier removal program in City-owned facilities where programmatic changes cannot be made to effectively meet the requirements of the ADA. The program is based on the facility survey conducted by the consultant and constitutes the City's Transition Plan of access upgrades with targeted dates for completion (see Appendix D). The Plan was developed with the assistance of the CRC, and is reviewed annually by the Committee to determine if it continues to meet the needs of the disability community.

The top priority of the Plan is to make the city-wide facilities accessible first. City-wide facilities are those which serve residents of the entire city rather than individual communities, and which are utilized by tourist and visitors to the City of San Diego as well. Examples of these types of facilities are the buildings in Balboa Park, City Hall and other office buildings where the City conducts business, the Stadium, life-guard towers and comfort stations, the War Memorial Building,, the World Trade Center, etc. Whenever additional funding is allocated by individual Councilmembers, facilities in those Districts are added to the priority list for that fiscal year. Upon completion of the city-wide projects in FY'98, facilities were selected for ADA retrofit by reviewing facility type and use as well as by location within individual Council Districts. The City has hired a crew to perform work within their scope of services on

these facilities. The crew has been specifically trained in ADA compliance work.

2. Maintenance and Repair Work

When appropriate, the City is bringing facilities into compliance by replacing broken fixtures with compliant ones; e.g., a broken door knob would be replaced with a levered door handle, etc.

3. Retrofit or Remodel Projects by City Departments

Whenever a remodel project is scheduled for City facilities, regardless of the project's dollar amount, ADA upgrades are to be included in the project.

4. Leased Facilities

When lease agreements are scheduled for renewal, facilities are required to come into compliance with the ADA. The responsibility for mandated changes are negotiated with the lessee.

B. BARRIER REMOVAL AND COMPLIANCE STRATEGIES FOR PUBLIC RIGHTS-OF-WAY

The Disability Services Coordinator and the Engineering Division of Public Works are responsible for the City's Transition Plan in the rights-of-way. Most of the problems in the rights-of-way concern physical barriers, which cannot be addressed through other options such as policy changes, alternative methodologies, or adaptive aids. Therefore, the public rights-of-way can only be made accessible via a realistic and fundable strategy for curb ramp installation and sidewalk modifications. The primary accessibility improvements are:

1. CURB RAMPS

Since the 1970s, the City has administered an aggressive curb ramp retrofit program. With the assistance of the Committee for the Removal of Architectural Barriers (CRAB) to prioritize ramp locations, annual allocations have been made for the installation of curb ramps for the past 20 years.

Subsequent to the passage of the ADA, the City conducted a survey to verify the number of curb ramps that are installed and repaired within the 2,780 miles of streets within the city limits. The survey data has been recorded on a Geographic Information System (GIS) mapping program which also identifies land use (i.e., commercial, recreational, residential, governmental,

etc.), types of streets, and Council Districts. These maps are used to determine the number of ramps required adjacent to public facilities, and to develop accessible routes as required by the ADA.

The information indicates that approximately 39%, or 20,931 ramps are in place, and a total of 61%, or 32,520 ramps need to be installed. Based on construction bids recently received for design, construction, and inspection, the average cost for installing one ramp is \$1,400. To meet the 2002 deadline recently established by the Federal Access Board, it is estimated that \$45,528,000 will be needed to complete the curb ramp installation. This translates into 6,504 ramps per year, at a cost of \$9,105,600 annually. At the current rate of installation, full compliance with the ADA will extend well into the 22nd century.

Priorities for the construction of curb ramps are as follows:

- Public Buildings
- Transportation Routes
- Places of Accommodation
- Schools
- Shopping Centers
- Employers
- Residential Areas

In addition to the above priority sequencing, curb ramp construction may occur under the following circumstances:

- Completion of corners of an intersection where only some ramps have been constructed.
- By special request for any area where there is a demonstrated need

The Committee meets monthly with City staff regarding all disability issues in the public rights-of-way. The SCRAB Committee continues to advise and assist the City in selecting and prioritizing curb ramp locations.

The following strategies have been implemented to assist the City in meeting the curb ramp requirements in the ADA:

a. Curb Ramp Contracts

The City contracts for the installation of curb ramps on an annual basis.

b. Residential Owners

It is the City's policy that whenever a corner residence remodel project occurs which exceeds \$50,000, a curb ramp must be installed.

c. Water and Sewer Installations

Whenever an alteration occurs on City streets due to the replacement of a water or sewer line, curb ramps are installed along the route of the pipeline.

d. Streets Division or Private Alteration

Whenever work in the streets requires removal of a curb return, curb ramps are installed. Additionally, when major street repairs requiring streets and/or sidewalks to be torn up, curb ramps are installed.

2. PUBLIC STAIRWAYS

Stairs present physical barriers for individuals using wheelchairs, canes, walkers, and other mobility aids. In some hillside areas, public stairways provide access from one level of a sidewalk to another. Approximately 20 public stairways exist in the City of San Diego. It is not anticipated that ramps or other structural changes will be appropriate or physically possible due to the nature of these public stairways and the significant difference in elevation. Signs will be posted at each end of the stairway with a map showing alternative paths of travel via the public sidewalk to reach the other end of the stairway.

3. Transit Stops

The Metropolitan Transit Development Board (MTDB) has jurisdiction over the City's bus system and the location of bus stops. The City works closely with MTDB to ensure that public transit stops are accessible. Consideration as to slope gradation, stair access,

and sidewalk conditions are looked at prior to the choosing of a transit stop location. There are approximately 4,000 transit stops within the City limits, 2,000 of which are not accessible. The City and MTDB have received a grant to upgrade approximately 200 bus stops in FY'98.

C. FUNDING

The City Council has committed 20% of the city-wide portion of the annual CDBG allocation, or approximately \$1.5 million annually toward ADA compliance projects. In addition, developer impact fees and TransNet funds are utilized for ADA compliance in the public rights-of-way. To date, the City has spent over five million dollars for ADA compliance.

D. OTHER CITY AGENCIES

The City of San Diego has a relationship with other agencies which are independent and which have their own budgets. City Council oversees financial considerations of these independent agencies. As such, they are subject to the same mandates as the City with regard to the ADA. Each agency has been notified as to their need to develop and implement their own Transition Plan. Accordingly, the following agencies have not been included in the City's Transition Plan:

- Centre City Development Corporation
- San Diego Consortium & Private Industry Council
- San Diego Convention Center Corporation
- San Diego Data Processing Corporation
- San Diego Housing Commission
- Southeastern Economic Development Corporation